

DOR
5.025

DORN SCHUFFMAN, DEPARTMENT DIRECTOR

CHAPTER Fiscal Administration	SUBCHAPTER Reimbursement for Services	EFFECTIVE DATE Oct. 1, 2004	NUMBER OF PAGES 3	PAGE NUMBER 1 of 3
SUBJECT Copy and Report Charges for Distribution		AUTHORITY Sections 144.010, 181.100 and 630.050, RSMo	HISTORY See Below	
PERSON RESPONSIBLE Deputy Director, Administration			SUNSET DATE: 7/1/2008	

PURPOSE: Prescribes department requirements for charging fees for research, duplication and distribution of records and reports.

APPLICATION: Applies to the entire department.

(1) As used in this DOR, the following terms shall mean:

(A) "Fees," the standard rates schedule established by the Office of Administration or the actual cost of document search and duplication as determined by the department facility or central office.

(B) "Public record," any record retained by or of any public governmental body including any report, survey, memorandum or other document which may be in the form of paper, microfilm or electronic media.

(C) "Report," a publication as set out in section 181.100, RSMo, of the department, including its divisions, facilities, State Mental Health Commission, state and regional advisory councils, offices or other units, which is either one of the following:

1. a printed statement issued at specific intervals describing operations and progress and containing the statement of future plans including regional plans in each of the divisions; facility plans or annual reports; the annual state plan or plan update; annual department report; division, office or program reports; and plans issued periodically;

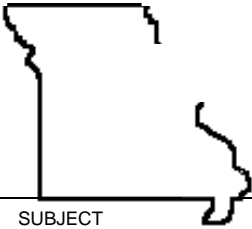
2. a formal, official, written account of an investigation given by a person or group delegated to make the investigation.

(D) "State publications," all multiple-produced publications of state agencies, regardless of format or purpose, with the exception of correspondence and interoffice memoranda.

(2) As set out in section 181.100 RSMo, the department shall distribute reports, printed on paper, outside the department without charge to the Missouri State Library (such copies as the State Library specifies, along with a statement of the cost and address where additional copies of such report may be requested), Chief Clerk of the House of Representatives (1 copy), Secretary of the Senate (1 copy), Supreme Court Library (1 copy), Legislative Library (2 copies), and the Office of the Governor (1 copy).

(A) Because of official administrative and state business relationships, the department shall distribute reports as necessary to the following without charge:

1. Office of Administration and its divisions,
2. State Auditor's Office,
3. Attorney General's Office,
4. Employee exclusive bargaining unit representatives,
5. Federal grant agencies,
6. House Appropriations Committee members and staff,



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7. Senate Appropriations Committee members and staff,
8. Inter-agency commissions or committees such as the Children's Services Commission,
9. Agencies in other states in exchange for their reports,
10. Courts and attorneys in criminal and civil commitment or guardianship proceedings,
11. Providers of service to department clients if authorized by clients, parents, or guardians (e.g., vocational rehabilitation, other hospitals, mental health centers),
12. Other agencies which have a joint or shared (with the department) business necessity for exchanging reports.

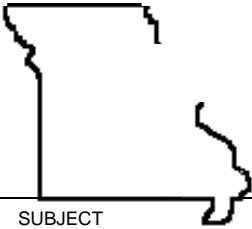
(B) Department staff shall distribute copies of reports to the following who are current members, employees or contractors when the reports are required by their work:

1. Members of the State Mental Health Commission,
2. Members of the state advisory or planning councils,
3. Members of the regional advisory councils,
4. Members of the State Advisory Council on Client Affairs,
5. Members of the Professional Review Organization,
6. Members of the Blue Ribbon committees or other task forces appointed by the department or division director,
7. Department employees,
8. Department contractors (e.g., administrative agents, placement vendors),
9. Applicants for professional, official or managerial positions in the department,
10. Department licensees and certified providers.

(3) The department may distribute, upon request, copies of reports to other organizations or individuals only if the appropriate fee, sales tax (unless sales tax exemption number is produced), and postage are charged to those requesting the copies.

(4) Department staff shall charge any individual or organization -- except those exempted in section (2) of this DOR -- for any copies of department documents as listed below the appropriate fee, as set out in section 610.026, RSMo sales tax (unless sales tax exemption number is produced) and postage:

- (A) Department Operating Regulations (initial packet plus updates),
- (B) Minutes of meetings,
- (C) Handouts at meetings (if requested after meeting has occurred),
- (D) All budget documents (e.g., budget request, budget booklets, budget reports),
- (E) Audits,
- (F) Licensure survey reports,
- (G) Department statistical information,
- (H) Official directives,



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- (I) Memoranda and correspondence,
- (J) Client records (if release is authorized by law and if in addition to or other than copies already provided free to guardians, clients, parents, or protectors),
- (K) Any other public record of the department.

(5) The department shall not divulge outside of the department any personally identifiable client or employee information unless authorized by department regulation or otherwise by law in any public records it distributes.

(6) Internal communications documents distributed to department employees, department contractors, parents, family members, guardians, protectors and advocates shall be distributed free of charge if these are distributed with the intent of informing recipients of information needed for program or other operational purposes.

(7) State publications may be distributed without charge. Facility staff shall distribute state publications without charge for public education reasons if the purposes include but are not limited to the following:

- (A) To explain department services or the disabilities of the clients served,
- (B) To reduce stigma of department clientele and services,
- (C) To reduce or prevent the incidence and prevalence of mental disorders, developmental disabilities, or alcohol or drug abuse.

(8) Quality Assurance – the chief financial officer, or their designee, at each facility shall be responsible for a periodic review of the facility practice of charging fees for cop and report distribution.

History: Replaced OR67 on September 1, 1981. Amendment effective April 1, 1986. Amendment effective May 15, 1991. Amendment effective July 1, 1992. Amendment effective July 1, 2001. On July 1, 2003 the sunset date was extended to July 1, 2004. On July 1, 2004 the sunset date was extended to July 1, 2005. Amendment effective October 1, 2004.